

UNITED STATES OF AMERICA)	
)	
vs.)	
)	Mag. No. 1:12-MJ-320
JOSE ANTONIO CHACON ARRITA)	
JOSE RAUL RODRIGUEZ VILLEGAS)	
EVELIO SANTIAGO MARCIANO)	

In accordance with Rules 5 and 5.1 of the Federal Rules of Criminal Procedure and in accordance with the Bail Reform Act, 18 United States Code § 3142(f), the preliminary hearing and detention hearing were held in this action on October 12, 2012. Those present included:

- Upon being sworn the defendants were informed or reminded of their privilege against self-incrimination accorded them under the 5th Amendment to the United States Constitution.

The defendants acknowledged having received a copy of the Criminal Complaint. It was determined they were capable of being able to understand these proceedings with the aid of Spanish Interpreter Richard M. Singer.

Preliminary Hearing - Proof

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Findings

Having heard and considered the testimony of the Agent Nalley during the preliminary hearing and the Affidavit/Complaint, the undersigned finds:

- (1) There is probable cause to believe that there has been a violation of 8 U.S.C. § 1326, re-entry of a previously removed alien without receiving permission to re-enter, committed in the Eastern District of Tennessee.
- (2) The proof the defendants committed the aforesaid offense is strong.

Conclusions

It is ORDERED:

- (1) The defendants are held to answer the charges against them in the District Court.
- (2) The defendants' next appearance shall be before a U.S. Magistrate Judge at **3:00 pm on Monday, October 29, 2012.**

ENTER.

S / *William B. Mitchell Carter*

UNITED STATES MAGISTRATE JUDGE